

1 PHILLIP A. TALBERT  
United States Attorney  
2 BRITTANY M. GUNTER  
Assistant U.S. Attorney  
3 2500 Tulare Street, Suite 4401  
Fresno, CA 93721  
4 Telephone: (559) 497-4000  
Facsimile: (559) 497-4099  
5  
6 Attorneys for Plaintiff  
United States of America

7  
8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

10  
11 UNITED STATES OF AMERICA,  
12  
13 Plaintiff,  
14 v.  
15 JAMES PATRICK BREEDLOVE III,  
Defendant.

CASE NO. 1:22-CR-00239-JLT-SKO  
  
PRELIMINARY ORDER OF  
FORFEITURE

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17 Based upon the plea agreement entered into between the United States of America and defendant  
18 James Patrick Breedlove III, it is hereby ORDERED, ADJUDGED, AND DECREED as follows:

19 1. Pursuant to 18 U.S.C. § 2253(a), defendant James Patrick Breedlove III's interest in the  
20 following property shall be condemned and forfeited to the United States of America, to be disposed of  
21 according to law:

- 22 a. Samsung cell phone, IMEI 356556770602374,  
23 b. Seagate internal hard drive, serial number 9VP32MV8,  
24 c. USB thumb drive, serial number 25BD3VTGSU17, and  
25 d. SD cards, compact discs, DVD's, hard drives, or other electronic storage devices  
26 containing visual depictions of minors engaged in sexually explicit conduct and  
27 seized from defendant by law enforcement on or about August 27, 2020.  
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2. The above-listed property constitutes property that contains visual depictions produced, transported, mailed, shipped or received in violation of 18 U.S.C. §§ 2251(a) and (e); and is property that was used or intended to be used to commit and to promote the commission of the aforementioned violation.

3. Pursuant to Rule 32.2(b), the Attorney General (or a designee) shall be authorized to seize the above-listed property. The aforementioned property shall be seized and held by the U.S. Marshals Service, in their secure custody and control.

4. a. Pursuant to 18 U.S.C. § 2253(b), incorporating 21 U.S.C. § 853(n), and Local Rule 171, the United States shall publish notice of the order of forfeiture. Notice of this Order and notice of the Attorney General's (or a designee's) intent to dispose of the property in such manner as the Attorney General may direct shall be posted for at least thirty (30) consecutive days on the official internet government forfeiture site [www.forfeiture.gov](http://www.forfeiture.gov). The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the order of forfeiture as a substitute for published notice as to those persons so notified.

b. This notice shall state that any person, other than the defendant, asserting a legal interest in the above-listed property, must file a petition with the Court within sixty (60) days from the first day of publication of the Notice of Forfeiture posted on the official government forfeiture site, or within thirty (30) days from receipt of direct written notice, whichever is earlier.

5. If a petition is timely filed, upon adjudication of all third-party interests, if any, this Court will enter a Final Order of Forfeiture pursuant to 18 U.S.C. § 2253(a) in which all interests will be addressed.

IT IS SO ORDERED.

Dated: **June 21, 2024**

  
UNITED STATES DISTRICT JUDGE